

U.S. Patent Application Serial No. 09/901,566
Amendment dated September 22, 2003
Reply to OA of May 20, 2003

REMARKS

Claim 1 is the sole claim in the application, claim 2 having been canceled by the Amendment dated November 13, 2002 and stands rejected under 35 U.S.C. §103(a) as being unpatentable over *Obermayer et al.* in view of *Fatt*.

The interview accorded Applicants' attorney by the Examiner is gratefully acknowledged. At the interview, claim 1, amended as proposed here, was agreed to define over the combination of *Obermayer et al.* in view of *Fatt*. Specifically, it was pointed out to the Examiner that unlike the proposed combination of references, the claimed invention involves a seal structure for an engine body having a crank chamber comprised of two case halves having cooperating joint surfaces which are generally planar and wherein only one of such surfaces of said case halves is provided with a U-shaped seal groove which communicates with enlarged recesses provided at opposite ends of the seal groove in said one case half in order to receive a bar-shaped seal member having enlarged end portions integrally formed at opposite ends of the bar-shaped seal member and wherein the former fills the seal groove and the latter fills the respective enlarged recesses.

It was pointed out by Applicants' attorney at the interview that among the several important distinctions existing between the claimed invention and the cited references are that:

1. The seal members being integrally formed and mounted in a receptacle of corresponding shape permits accurate location of the seal member in the engine body;

2. Interferences for the body and end portions of the seal member are determined by the depth of the seal groove and the enlarged recesses and not by variations in coupling pressure between case halves, as by means of the torquing of bolts as is done conventionally;
3. Sealing is effected by a single seal and a single gasket as contrasted with the device of the German reference;
4. Accurate seal member installation is accomplished without the need for special skill.

Examination of the cited references indicates that the German reference is lacking in the above elements and that the patent to *Fatt* is incapable of curing the above-identified defects of the German reference as an anticipation of the claimed invention because this reference simply teaches the provision of enlarged flanges on opposite ends of a seal body. Otherwise, there are clearly no enlarged recesses in *Fatt* for reception of the enlarged flanges. Moreover, in *Fatt*, the interference between the disclosed seal of *Fatt* and the bearing support flange 16 and oil pan 13 is determined, not by groove depth as in the claimed invention, but, instead, by the coupling pressure applied by bolts 14.

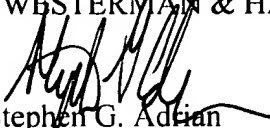
The Examiners at the interview agreed that, for the foregoing reasons, the claim as presented in this Amendment defines over the combination of the German and the *Fatt* reference which form the basis for the rejection of claim 1. Consequently, it is submitted that claim 1 as hereby amended is patentable and should be allowed.

On the other hand, however, if the Examiner finds that minor revision is still required to render the claim in the application satisfactory, it is requested that he call the Applicants' attorney at the telephone number indicated below in order to expedite the changes required to place the application in condition for allowance.

In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

ARMSTRONG, WESTERMAN & HATTORI, LLP


Stephen G. Adrian
Attorney for Applicants
Reg. No. 32,878

SGA/rer
Atty. Docket No. **010698**
Suite 1000
1725 K Street, N.W.
Washington, D.C. 20006
(202) 659-2930



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Attachments: Petition for Extension of Time w/fee

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